Previous references.
old judicial files

1906.
(courts)

File No. 35 of 06
Serial Nos. 1,245

Later references.
ch 2 82-06 1-2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1, 245

Part B. for October 06

SUBJECT.

Pay of Subordinate judges and local allowances to the Dt. ~~Magte~~ judge of Shimoga

Serial No

Table of Contents

Fr. the Comptroller

No 590 / 108 d 30.7.06

Enquires whether the Sub judges who were promoted to different classes be given pay according to the scale

G. R. S. 58

prescribed in G.O. No J 859-60
d 13-12-02 and whether the Judge of
Shimoga may be allowed to draw
the local allowance of Rs 150
as the Rules Regulating the Admissions
and promotions of the officers of the
Mysore Civil Service are not
quite clear.

2 do dated 5.9.06 from Mr C B Seshagiri Rao Subjudge Hassan

Regrets to be informed if any orders have been passed regarding his pay as the Comptroller seems to have been made a reference on the subject

5 to the Comptroller & the Registrar Chief Court

No J 899-900 d 15.10.06

Authorises the Comptroller to pass the salaries of the undermentioned Subjudges at the following rates pending final orders and states that separate orders will be issued Regarding the local allowance of Rs 150 to Mr R.B. Plumer Ag. Judge of Shimoga

(1) Mr C B Seshagiri Rao Rs 600
(2) " Hamza Hussain 500
(3) " Krishnaswamidyengar 450
(4) " J. H. Bhabha 450

G. R. S. 11] 1906.

GENERAL AND REVENUE SECRETARIAT

(III. Courts)

NOTES.

File. No 35-06.

FILE HEADING.

Pay of Subordinate judges and local allowance to the District judge of Shimoga.

From

The Comptroller to the Govt. of H. H. the Maharaja.

No. 590 | 108 Dated 30-7-06 Received 1-8-06

Diary No. 3301	Enclos. -	Spare Copies. -	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Enquiries whether the Sub judges who were promoted to different classes in Govt Notification No. 7E:8691 dt 313-05-1 d: 19-6-06 from 1st July 1906 may be given pay according to the scale prescribed in G.O. No. 3859-60 d: 13-12-02 & whether the Dt. judge of Shimoga may be allowed to draw the local allowance of Rs 150 as the Rules regulating the admissions & promotions of the officers of the Mysore Civil Service are not quite clear.

NOTES AND ORDERS.

Flag N Under Rule IV of the Rules relating to the Mysore Civil Service, Subordinate judges and District judges in the judicial Department are included in the Mysore Civil Service. The Subordinate judges are designated as

NOTES—First sheet.

MGCPB—30,000—17-2-05.

G.R.S. 12J
General and Revenue Secretariat.

CS File No. 35 of 1906-07

Serial No.

Assistant Commissioners (A or B schedule) whose pay is regulated by rules VII – XII. The Comptroller's query whether the Subordinate judges promoted to different classes in Govt Notification No. H 8691-CS 313-05-1 may be given pay according to the scale prescribed in Govt Proceedings No. J 859-60 d: the 13th December 1902 may be answered in the affirmative, as Rule XIII of the Mysore Civil Service Rules (2nd clause) prescribes that officers promoted to the Special grades laid down therein will draw the pay proper to the class in which they happen to be plus any special or local allowance attached to such appointment.

Reg P

Reg O

2. The reason for fixing the pay of Mr T. Paramasiva Iyer as Sub. Judge, 1st class at 500 rising to Rs 600 is explained in the late 1st Councillor's note dated the 5th April 1903 and 31st March 1904 in file No. 41 of 1903-04. Orders have to be passed as to how the pay of Mr C. B. Seshagiri Rao is to be fixed. He was drawing Rs 500 as Sub Judge, 2nd Class before the promotion.

Reg X

NOTE—Contn. sheet

GPB—50,000—23-10-05

G.R.S. 12]

General and Revenue Secretariat.

(S) File No. 35 of 1906-07

Serial No.

3. The grant to mr R.B. Rumer of the local allowance of Rs 150 which was hitherto being drawn by the District judge of Shimoga is also a matter for orders.

SN
7-8-06

RRL
7-8-06

4 The promotions of Mr. Krishnaswamiengar was ordered under the old rules. If it was under the new rules he would have got only Rs 2400 i.e. Rs 50/ more than his pay as Munsiff. ~~I believe the following reply may be given to the Govt.~~

5 As it is he would therefore draw Rs 450, but orders are required as to whether it should be in the shape of Rs 400+50 or whether the whole is to be treated as pay.

Rs 400+50

6(2) Regarding Mr. Hamza Hussen-le should get Rs 500/. But there is no graded 500/. He will therefore have to be made a first class Bottle Car at Rs 450+50, or a senior Bottle Car at Rs 500 to 600.

Rs 450+50

NOTE—Contn. sheet

GPB—50,000—23-10-05

G.R.S. 12]
General and Revenue Secretariat.

File No. 35 of 1906-7

Serial No.

7. Mr. J. H. Bhabha should also get Rs 450/. But if Mr. Krishnaswamy's salary is fixed at Rs 400+50, Mr Bhabha (whose name comes after Mr. Krishnaswamiayar's) should also get only Rs 400+50/- Or both should be made 1st Class Asst Comrs on Rs 450/-

Any 400+50/-

7/N

8. The G.O. refers to the Local Allowance of Dep. Comrs + of the Secy to Govt when the latter is an officer of the Dy. Comrs grade: but does not say anything about a local allowance to the Dt. Judge of Shimoga. It seems to be implied that he is not to get a local allowance - This point also requires orders

8/N

Secy)

7-8/06

9

P.S. (5). As regards Mr. Sadasiva Rao, he has to get Rs 600/- ~~and an interim at the rate of Rs 450 as does not fulfil the rules~~ which may be treated as pay

9/N

7-8/06

The pay of the 1st class has been changed to Rs 500-50-600-(Vide Item 1(I) of Order in Cypher 7-8/06 - 4/

GPB—50,000—23-10-05

G.R.S. 12j
General and Revenue Secretariat.

(15 File No. 35 of 1906)

Serial No.

10 The Comptroller may be informed that the intention of Govt was that the officers promoted as appointed as Sub Judges in the Notfn of 19th June 1906 should draw emoluments according to the scale prescribed in the G.O. of 13th Dec. last 1902, pending, and without prejudice to, such mode of distribution of the said emoluments between pay and personal allowance as might be necessary in arranging all the officers (including the Sub Judges in question) belonging to the Civil Service in the order of their seniority under the revised Civil Service Rules. Orders on this subject will be passed separately at an early date.

11 The pay of the 1st class of subordinate Judges, though originally fixed at Rs 600, was subsequently modified by making it rise from Rs 500 to Rs 600 by annual increments of Rs 50. The present sanctioned emoluments will be Rs 550, as he was already drawing Rs 500 in the next lower class.

∧ as modified by para 1 (I) of Govt no. of 12-12-13 & 12-2-03, Rly T

(* The matter is being investigated, & enquiries about service, seniority etc needed) —

NOTE—Contn. sheet

GPB—50,000—23-10-05

Serial No.

12 No local allowance has been provided under par XV of the Civil Service Rules for ~~Asst~~ District & Sessions Judges; & hence none will be passed for the Dt & Sessions Judge of the Nilgiris Dn.

13 Please draft an order in the above terms, & submit to the Legl Councillor prior to circulation as a Council matter.

Pkg

14

Pkg draft by
20.8.06

Subd with a draft order

SN
20/8/06

To 1st Coun'r

by
20.8.06

20-8-06

885
21.8.1906.

15 I think it is unnecessary to refer to & quote Mr Paramasiva Iyer's case unless it be to deprive on the score of "too rapid promotion" an officer of the pay otherwise due to him by virtue of his rank & special duties as per fixed scale.

16 I think also that no ~~other~~ leading

Note—Contn. sheet.

Serial No.

Raising & trying to answer questions of what may be called "Conflict of orders" it may be sufficient to observe that in the case of the appointments under reference the orders to guide the Comptroller are those contained in Govt. No. no. 8964 of 28th June 1906. The only officer on whom this will work any hardship is Dr. Lekhagir Rao who was not promoted to rank of Dist. Judge & who will soon retire. He may for these reasons get the boon from 1st July 1906."

3 As regards the question of local allowance & the Dist. Judge at Shimoga I do not wish to commit myself on this file. It does not arise out of the Govt. No. above cited, or if it does it will apply to the Deputy of Shimoga & probably also other Deputies. The correct thing will probably be to allow it for all or to disallow it for all alike.

25 Aug 06

Dr. Plumer has since submitted a representation on the subject. The question may perhaps therefore be taken up in connection with it.

16 "I. Submit the Bond for Rs. 5000 executed by Mr. Sathyanarayana Rao as follows:

Mr. Sathyanarayana	Rao	2D
" Ramachandra	500	Does
" Ramachandra	450	5D
" Venkatasubba	350	4 5D
" Rama	—	4 5D.

17

NOTE—Contn. sheet.

MGCPB—50,000—17-2 05

Serial No.

1 Perused the 7th Cr. Letter Ref to & the accompanying file relating to Mr Plumer's representation

2 I observe that Mr Seshagiri Rao's case has not been disposed of & I consider that it need not be mixed up with the question of Malnad allowance for Mr Plumer—

3 As to the latter question I have since writing my note above recorded once having seen the big file on Malnad allowances generally and I have recorded my opinion on Mr Plumer's application in a file linked to this— Letter 1 Sept 06

Comment Mallet

Circulate — 4/Sept

2 3 I agree with the 1st Council that the pay of the Subordinate should be fixed as follows

Mr Seshagiri Rao from 500 - to 600
Mr Hamza Hussain 450 - 500
Mr Krishnaswamy Iyengar 350 - 450
Mr Rahabha 450

C 250 3-9-06

NOTE—Contn. sheet

MGCPB—50,000— 24-7-05

Serial No.

16 These officers of the judicial Deptt should not be in a worse position by the operation of the new rules than they would have been under the old rules. When the names are arranged in one general list under the new scheme the new subjudges will be assigned their proper places. I would not complicate matters by quoting old orders of 1902 & 1903. It would be also inconvenient to sanction personal allowances now.

25 The grounds which existed in Mr Paramasiva Ayer's case - too rapid promotion - do not exist in Mr Seshagiri Rao's case. The latter may get Rs 600 at once.

26 Regarding mukhtar allowance for Mr Plumer

GPB—50,000—23-10-05

G.R.S. 12]
General and Revenue Secretariat.

(0

File No. of 190

Serial No.	
	I will, according, open on separate file dealing with the subject W. Ruttledge 13/9/06 20 Princes St Dewrance 14/9/06

NOTE—Contn. sheet

GPB—50,000—23-10-05

Submitted to His Highness.

27 In this case the Comptroller solicits orders as to (1) whether the Sub-Judges promoted or appointed to the different classes in Notification No.Fl. 8691/Cts.313-05-1, dated the 19th June 1906, may be given pay according to the scale prescribed in Notification No.859-60, dated the 13th December 1902, (2) whether the pay of a first class Sub-Judge may be taken as ₹600, or should be fixed at ₹500 rising to ₹600 by annual increments of ₹50, and (3) whether Mr. R.B. Plumer, District and Sessions Judge, Shimoga, may be given the local allowance of ₹150 per mensem hitherto enjoyed by his predecessors.

28 By Government Notification No.J.859-60, dated the 13th December 1902, the scale of Sub-Judges was fixed at -

1 in the 1st class on ₹600,

3 in the 2nd class on ₹500, and

2 in the 3rd class on ₹450.

29 But by a later Notification No.J.1212-13, dated the 12th February 1903, the Subordinate Judges were classified as follows:-

(i) Mr. T. Paramasiva Iyer in the 1st class on a pay of ₹500-50-600.

(Note.- This was in consideration of the too rapid promotion he would otherwise have got.)

(ii) Mr. P. Singrachar, Mr. C.B. Seshagiri Rao and Mr. V.A. Rajaratnam Mudaliar in the 2nd class on ₹500; and

(iii) Mr. Mir Humza Hussain and Mr.S. Varadaraj Iyengar in the 3rd class on ₹450.

30 Mr. T. Paramasiva Iyer having been recently promoted as District and Sessions Judge, Mr. C.B. Seshagiri Rao has been promoted to the 1st class and Mr. Humza Hussain to the 2nd class of Sub-Judges. To fill up the vacancy caused by Mr. Humza Hussain's promotion and the retirement of Messrs. P.Singrachar and S. Varadaraj Iyengar, Messrs. D.M. Narasinga Rao, B.S. Krishnaswamiengar and Jahangir H. Bhabha have been appointed as Sub-Judges.

31 Rule 13 of the new rules regulating admission to, and grading and promotions in the Mysore Civil Service published with Government Order No. 8964/Fl. dated the 28th June 1906, lays down that appointments of Subordinate Judges are to be filled by officers of the grade of Assistant Commissioners without distinction of schedules, and that such officers should draw the pay proper of the class in which they happen to be from time to time plus any special or local allowance attached to the appointment which they fill. The Comptroller seems therefore to entertain some doubts as to the pay that has to be passed to some of the Sub-Judges recently promoted or newly appointed.

32 The pay of Mr. D.M. Narasinga Rao has been already fixed in accordance with the new rules, and it only remains now to consider what pay should be given to the remaining 4 officers, namely, Messrs. Seshagiri Rao, Mir Humza Hussain, Krishnswamiengar and Bhabha.

33 The First Councillor is of opinion that in the case of the appointments under reference, the orders to guide the Comptroller should be those contained in Government Proceedings No.8964, dated 28th

June 1906, relating to the Mysore Civil Service, but that as the strict application of this would work hardship in the case of Mr. Seshagiri Rao, he may be given ₹600 from the 1st July 1906. He recommends the following rates of pay to the several officers referred to:-

	Mr. Seshagiri Rao - -	₹600
	" Humza Hussain - -	" 500
	" Krishnaswamiengar -	" 450
and	" Bhabha - - -	" 450.

34 The Second Councillor agrees with the First Councillor in fixing the pay of the officers as stated above, on the ground that these officers should not be placed in a worse position by operation of the new rules than they would have been under the old rules.

35 The grading of officers under the Civil Service scheme is in hand and will be submitted for orders in due course. The position of these officers in the general list will be decided in that connection and it may possibly be necessary to treat a portion of their pay according to the old grades as personal allowance.

36 Pending final orders on these points, the officers referred to may be permitted to draw salaries at the rates noted below from 1st July 1906:-

	Mr. Seshagiri Rao - -	₹600
	" Humza Hussain - -	" 500
	" Krishnaswamiengar -	" 450
	" Bhabha - - -	" 450.

37 The question of local allowance to Mr. Plumer has been dealt with in another file.

File no. 279 S 23.9.06

24/9/1906

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

25.9.06
292

Question of what pay should be given to the Sub Judges promoted or appointed by Notification of 19th June 1906..

Order.

3/10

2.10.06
279

38 Sanctioned
~~KRW~~
2/10/06

Dewan's order

39 Please issue
BO
CSB
2/10/06

40 Let me see draft-K/2/10/06

Draft put up

41 Done K/2/10/06

K/15/10

G.R.S. 12]

General and Revenue Secretariat.

At File No. 35 of 1906

Serial No.	
2.	D.O. dated 5.9.06 from Mr C. S. Seshagiri Rau, Sub-Judge Hassan – Requests to be informed if any orders have been passed regarding his pay as the Comptroller seems to have made a reference on the Subject-
5	To the Comptroller & Registrar, Chief Court. No J 899-900 dy 15.10.06. Authorises the Comptroller to pass the salaries of the undermentioned Sub-Judges at the following rates pending final orders and states that separate orders will be issued regarding the local allowance of Rs 150/- to Mr R.S. Plumer, Dt Judge Shimoga: — (1) Mr C.S. Seshagiri Rau, Sub-Judge at Rs 600/- (2) Mr Hamza Hussein — Rs 500/- (3) Mr Krishnaswamiengar – Rs 450/- (4) Mr. J. H. Bhabha — Rs 450/-

NOTE—Contn. sheet

GPB—50,000—23 10-05

maximum pay of the class viz., Rs. 600/- when he was placed in the First class Sub Judge vide Government Order No. J.1212-13 dated 12th February 1903. Definite orders are therefore requested as to whether the payment of the 1st class Sub Judge should be taken as Rs. 600/- or Rs. 500/- rising to Rs. 600/- by annual increments of Rs. 50/-.

5. In para XV of the Government Proceedings under acknowledgment, the scale of pay to District Judges is prescribed, but the local allowance of Rs. 150/- which was hitherto allowed to the District Judge Shimoga is omitted, but as the order is silent about the present officer, I also request to be informed whether the local allowance of Rs. 150/- should be given to Mr. Plumer, who is appointed District Judge Shimoga in the Government Notification of the 19th June 1906.

I have the honour to be,

Sir,

Your most obedient servant,

Comptroller.

.....Department.

1906

From

Rai N. G. Basu Bahadur, M.A.,
Comptroller, Mysore Govt.

To

.....Esq.,

Secretary to the Govt. of Mysore,
Rev. & Genl .....Dept.

Dated

Despatched 30-7-06

Received

No. 590
108

Subject Matter.

Requesting the information whether the sub judges who were promoted different classes may be given pay according to the scale prescribed in Govt. Notn. No. 859-60 of 13th December 1902.

No. 590 / as 108 Cts 35-06-07-1. J 301

OFFICE OF THE COMPTROLLER, MYSORE GOVERNMENT.

Dated Bangalore, the 30-7- 1906.

FROM

RAI N. G. BASU BAHADUR, M.A.,
COMPTROLLER, MYSORE GOVERNMENT.

To

K.S. Chandrasekhara Iyer, Esq., B.A., B.L.,
SECRETARY TO THE GOVERNMENT OF MYSORE,
General and Revenue DEPARTMENT.

SIR,

I have the honour to acknowledge the receipt of the Government Proceedings No. 8964 dated the 28th June 1906 lay-ing down revised rules to regulate admission to and grading and promotions in, the Civil service of Mysore.

2. It is understood from the rules that the assistants of the various departments mentioned in para XIV will be of one class and that their pay will be regulated by paras VII, VIII, X, XI and XII.

3. With reference to this I request to be informed whether the Sub Judges named in the margin who were promoted to different classes in the Government Notification No. Fl 8691-Cts.313-05-1 dated the 19th June 1906 with effect from the 1st July 1906 may be given pay according to the scale prescribed in Government Pro-ceedings No. J.859-60 dated the 13th December 1902.

4. I may mention here that although the pay of 1st class Sub Judge is fixed at Rs. 600/- in the above Proceedings, Mr. Paramasiva Iyer's pay was fixed at Rs. 500/- rising by annual increments of Rs.50/- to the

4

to Gant on the 4th July.
I am unwell & am
under the necessity
of not leaving home
in consequence of Mr Simmons
being in town &
the Gentlemen, for whom
I must provide. I am ob-
liged to be
at home to
receive them &
not miss the
I should not
be sorry if the
would

5

I have been drawing Rs 500 from the past 3½ years; I am under the necessity to inform you that the end of June next.

Hoping still to be favoured with your kind patronage and family and drawing me to,

I am
Yours truly
C. B. Seshagiri Rao

6

P.S. You can send
that bill to me
& my friend
Mr. M. Thomas
Mc Quat Dispen
sing Chemist Bro
adway - and he pro
bably will
Remitting Rs 450
Rupees 5.0. from
Paris

C. H. S

G.R.S. 28]

7

CG File No. 35-06

Serial No. 65

Diary No. of letter replied to

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, *the* 190

Date of issue 15 - 10 - 1906

Signed by Mr. K. Mathan

READ.—

Letter no. 590/108 of the 30th July 1906 from the Comptroller to the Govt. enquiring whether Mr Seshagiri Rao, Sub-Judge 1st Class, Mr Mirr Hamza Hussain Sub-Judge 2nd Class, and Messrs B.S. Krishnaswamiengar and J.H. Bhabha, Sub-Judge of the 3rd class may be permitted to draw pay according to the scale prescribed in G.O. No 1859-60 of the 13th Dec 1902, viz, at Rs 600, 500, 450, & 450 respectively, and (2) whether the District Judge of

over

ORDER THEREON—NO.

SUBJECT

Shimoga may ~~be~~ ~~get~~ ~~it~~ draw the local allowance of ₹800 which was hitherto attached to that appointment.

Order thereon No. J 899-900 dt 15/10/06
Cls 35-06-05

The Sub-Judges named above were appointed or promoted to their present classes in G.O. no. H.8691-CS 313-05-1 of the 19th June 1906, i.e. before the date of G.O. no. 8464 of the 19th June 1906 laying down revised rules to regulate admissions to, and grading and promotions in, the Civil Service of Mysore. It was the intention of Govt. that these officers should draw pay according to the scale laid down in G.O. no. J 859-608 of the 17th October 1902, ~~but~~ that is to say, Mr. C.B. Seshagiri Rao, at ₹600, Mr. ~~Hussain~~ Hussain Hussaini at ₹500 + ~~two~~ means Krishnaswamiengar & Bheeba at ₹450. ~~Until~~ When the posts in the Civil Service are regraded

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

9

in accordance with the
Recent rule ~~Two Annas will~~
the portion of these offices in the
general list will be decided,
and it may probably be necessary
to treat a portion of the pay of
some of them ~~according~~ as
personal allowance. But ~~the~~
pending final orders on this
point the Comptroller is authorised
to pass this ~~pay~~ salary at the rate men-
tioned above.

2. Regarding the local allowance
of Rs150 to the District Judge of
Chanda, orders ~~will be~~ ~~have~~ ~~been~~ ~~passed~~ ~~Rs 150~~.
of

Secy

15-10-06

8/10

To the Comptr & Govt
Actg Asst Secy Comt.

[G.R.S. 28]

CS

File No. 35-06

Serial No. 2-

Diary No. of letter replied to _____

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, *the* 190

Date of issue _____

Signed by _____

READ.—

Letter No. 590/108 dated the 30th Jne 1906, from the Comptroller to the Govt of H.H. the Maharaja Engineering ~~requesting to be informed~~ (1) whether the Sub Judges who were promoted to different classes in Govt

ORDER THEREON.—No.

Notification No. 71:8691/CS 313-05-1 dated the 19th June 1906 may be given pay according to the scale prescribed in Govt order No. 3859-60 dated the 13th December 1902.

~~how the pay of Mr C.B. Sethapi~~

over

SUBJECT

Rao, who was promoted to the 1st Class of Sub Judges, should be fixed and (2) whether the District Judge of Shimoga may be allowed to draw the local allowance of Rs 150, which was attached to the appointment as the Rules regulating the admissions & promotions of the officers of the Mysore Civil Service are not quite clear. Hag N

Order thereon. No.

It was the intention of Government that the officers promoted or appointed as Sub Judges in Notification No. H: 8691 Hag P
Clo 313-05-1
dated the 19th June 1906 should draw emoluments according to the scale prescribed in the Govt order No. J85-9-60 dated the 13th December Hag O
1902 as modified by para 1(I) of Govt order No. J 1212-13 dated the Hag I
12th February 1903, pending and without prejudice to, such mode

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

of distribution of the ~~Sub~~ ~~Judges~~ emoluments between pay and personal allowance as might be necessary in arranging all the officers belonging to the Civil Service (including the Sub Judges in question) in the order of their seniority under the revised Civil Service Rules. Orders on this subject will be passed separately at an early date.

2. The pay of the 1st class of the Subordinate Judges, though originally fixed at Rs 600, was subsequently modified by making it rise from Rs 500 to Rs 600 by annual increments of Rs 50. Mr C. B. Seshagiri Rao's ~~pay~~ emoluments will be Rs ~~550~~ 550, as he was already drawing Rs 500 in the next lower class.

3. No local allowance has been provided under para XV of the Civil Service Rules for any of the District and Sessions Judges; and hence none will be passed for the District

Reg V

MGCPB—30,000—5-4-05.

Sessions Judge of the Shimoga
Division.

by order Secretary

To The Comptroller in Mysore
as Regr. chief Court

SN
20/8/07
Recd
20.8.06